

**NOTICE OF DEFAULT**

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**TO:** Scorpion Fitness Inc. and Scorpion Club Ventures, LLC ("Tenant").

**PREMISES:** All rooms/areas of a portion of the ground floor, mezzanine, and lower level, as shown hatched on the floor plans annexed hereto as **Exhibit 1** and incorporated by reference as if fully set forth in length, in the building known as and located at 220 Fifth Avenue, New York, New York 10001.

**LEASE:** dated December 19, 2014, by and between Landlord's predecessor-in-interest, Dino & Sons Realty Corp., as landlord, and Tenant, as tenant. Said Lease being modified by a First Lease Modification Agreement, dated June 30, 2017.

**DATE OF THIS NOTICE:** May 29, 2018.

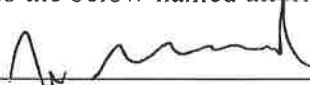
**PLEASE TAKE NOTICE** that you are in default of Articles 17 and 31 of the Lease, which provisions deal in pertinent part with your obligations: (a) after five (5) days written notice, to redeposit with Owner any portion of the Security Deposit which Landlord has applied to the payment of any rent and additional rent due and payable; and (b) what actions on your part are deemed defaults under the Lease. More specifically, you have violated and continue to violate the aforementioned provisions of the Lease by failing to pay to the Landlord the sum of \$65,000.00 representing the sum so used, applied, and retained on or before May 20, 2018, that being more than five (5) days after service of a notice upon you, a copy of which with proof of service is annexed hereto as **Exhibit 2** and incorporated by reference as if fully set forth in length.

**PLEASE TAKE FURTHER NOTICE** that, in accordance with Articles 17 and 31 of the Lease, you are hereby required cure such defaults **on or before June 18, 2018**, that being more than fifteen (15) days after service of this Notice upon you, by tendering and paying to Landlord the sum of \$65,000.00 representing the sum so used, applied, and retained, which shall be added to the Security Deposit so that the same shall be replenished to its former amount pursuant to Article 31 of the Lease. Upon your failure to so cure, the Landlord will elect to terminate your tenancy in accordance with Article 17 of the Lease.


**PLEASE TAKE FURTHER NOTICE**, this Notice is served upon you pursuant to Articles 17, 27, and 31 of the Lease and other applicable provisions of law and/or statutes.

**PLEASE TAKE FURTHER NOTICE**, pursuant to Sections 19, 31, and 51(B) of the Lease, you are responsible for any and all legal expenses and attorneys' fees incurred by the Landlord.

**PLEASE TAKE FURTHER NOTICE**, that any response to this Notice must be sent and directed to the below-named attorneys for the Landlord.

  
Kosloff, PLLC  
Attorneys for Landlord  
By: Joseph Goldsmith, Esq.  
217 Broadway, Suite 401  
New York, New York 10007  
Tel.: (212) 267-6364  
Email: jgoldsmith@kaulaw.com

**220 FIFTH REALTY LLC**  
**[Landlord]**

  
Name: Matthew Lembo  
Title: Vice President and Authorized Signatory

*Exhibit "1"*

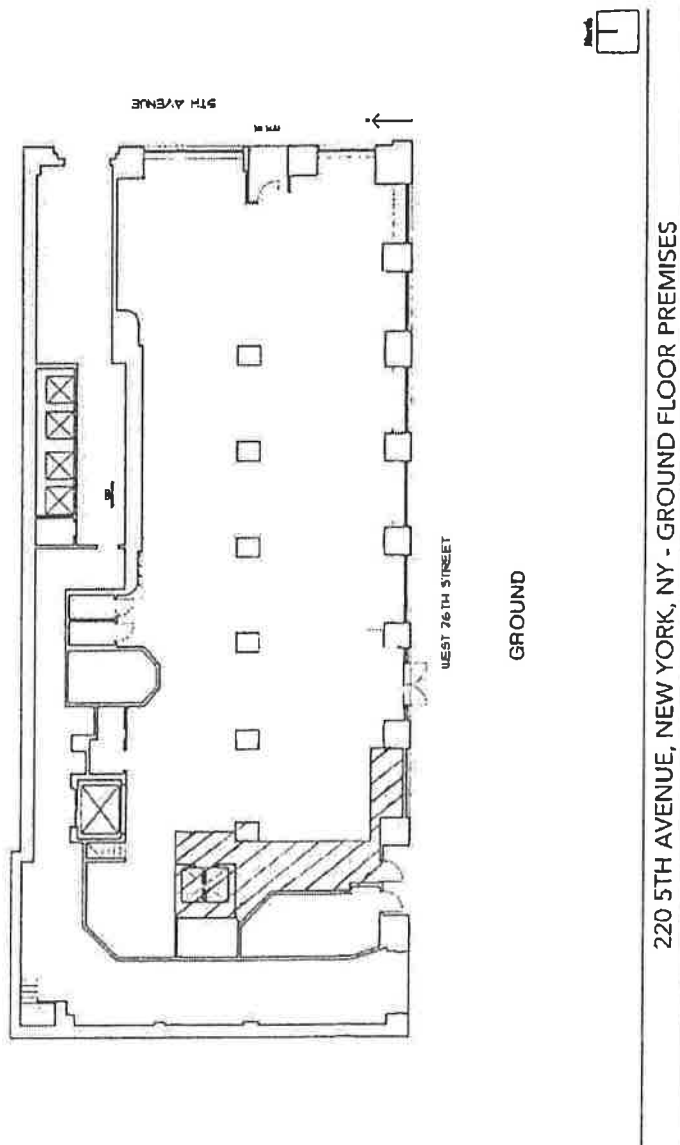
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12/19/2014

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The Demised Premises

Not to scale; all dimensions approximate; subject to actual conditions.



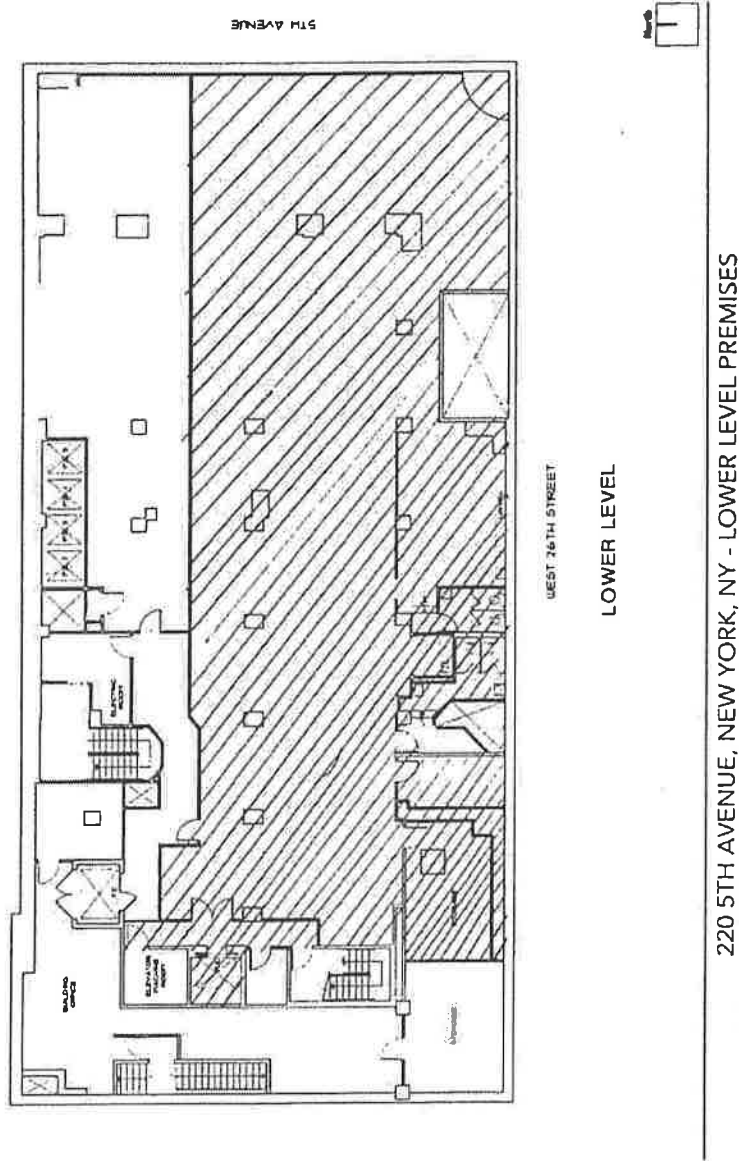
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Please Initial Here. Landlord \_\_\_\_\_ Tenant \_\_\_\_\_

Execution

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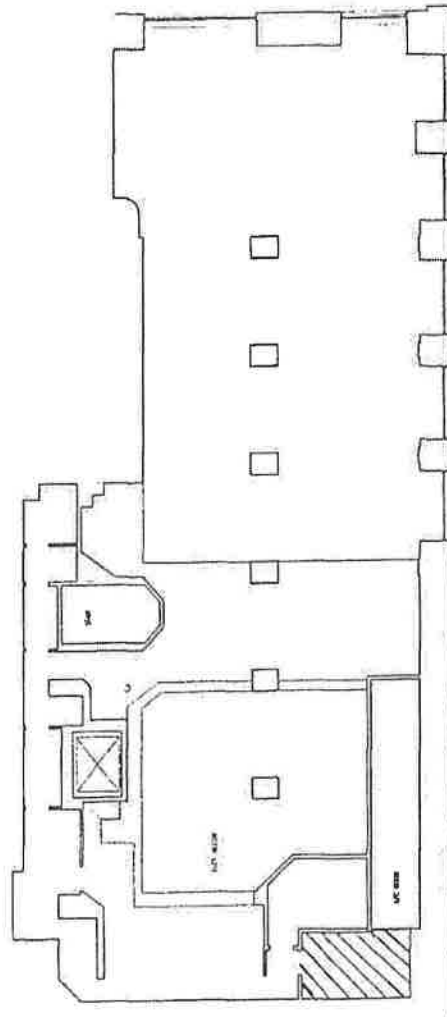
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Execution

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MEZZANINE

25

Please Initial Here: Landlord \_\_\_\_\_ Tenant \_\_\_\_\_

A handwritten signature in black ink, appearing to be "CS", written over the tenant line of the signature line.

*Exhibit "2"*

**NOTICE AND DEMAND TO REPLENISH AND PAY**

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**TO:** Scorpion Fitness Inc. and Scorpion Club Ventures, LLC ("Tenant").

**PREMISES:** All rooms/areas of a portion of the ground floor, mezzanine, and lower level, as shown hatched on the floor plans annexed hereto as **Exhibit A** and incorporated by reference as if fully set forth in length, in the building known as and located at 220 Fifth Avenue, New York, New York 10001.

**LEASE:** dated December 19, 2014, by and between Landlord's predecessor-in-interest, Dino & Sons Realty Corp., as landlord, and Tenant, as tenant. Said Lease being modified by a First Lease Modification Agreement, dated June 30, 2017.


**DATE OF THIS NOTICE:** May 10, 2018.

**PLEASE TAKE NOTICE**, in accordance with Article 31 of the Lease, on May 9, 2018 and from your Security Deposit of \$100,000.00, the sum of \$65,000.00 from your Security Deposit was used, applied, and retained for outstanding rent and additional rent due, as set forth in the ledger annexed hereto as **Exhibit B** and incorporated by reference as if fully set forth in length, upon the grounds that you failed to comply with a certain Amended Notice of Intent, dated March 8, 2018, a copy of which together with proof of service thereof is annexed hereto as **Exhibit C** and incorporated herein with the same force and effect as if fully set forth at length. You are now required, **on or before May 20, 2018**, that being more than five (5) days after service of this Notice upon you, to pay to the Landlord the sum of \$65,000.00 representing the sum so used, applied, and retained, which shall be added to the Security Deposit so that the same shall be replenished to its former amount, and so that Landlord shall have the full Security Deposit on hand at all times during the Term pursuant to Article 31 of the Lease.

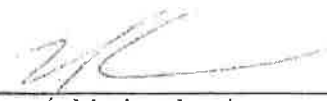
**PLEASE TAKE FURTHER NOTICE**, this Notice is served upon you pursuant to Sections 17, 27, and 31 of the Lease and other applicable provisions of law and/or statutes.

**PLEASE TAKE FURTHER NOTICE**, pursuant to Sections 19, 31, and 51(B) of the Lease, you are responsible for any and all legal expenses and attorneys' fees incurred by the Landlord.

**PLEASE TAKE FURTHER NOTICE**, that any response to this Notice must be sent and directed to the below-named attorneys for the Landlord.

  
\_\_\_\_\_  
Kossoff, PLLC  
Attorneys for Landlord  
By: Joseph Goldsmith, Esq.  
217 Broadway, Suite 401  
New York, New York 10007  
Tel.: (212) 267-6364  
Email: jgoldsmith@kaulaw.com

**220 FIFTH REALTY LLC**  
**[Landlord]**

  
\_\_\_\_\_  
By: Matthew Lembo  
Title: Vice President and Authorized Signatory

*Exhibit "A"*

Execution

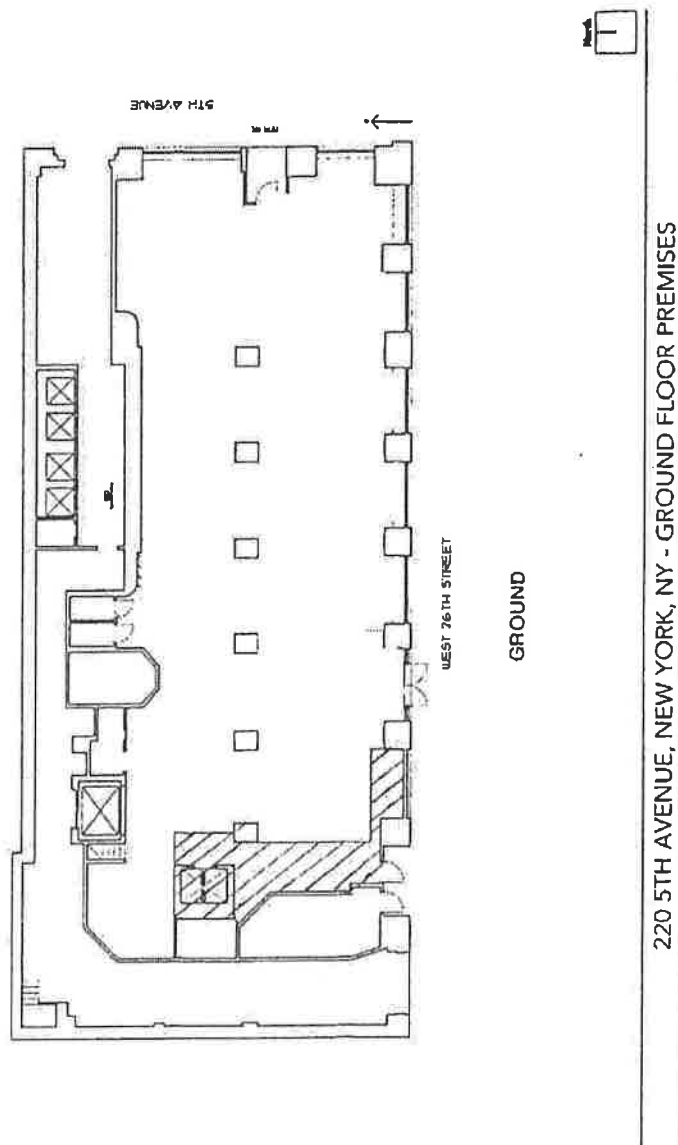
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Exhibit "A"

The Demised Premises

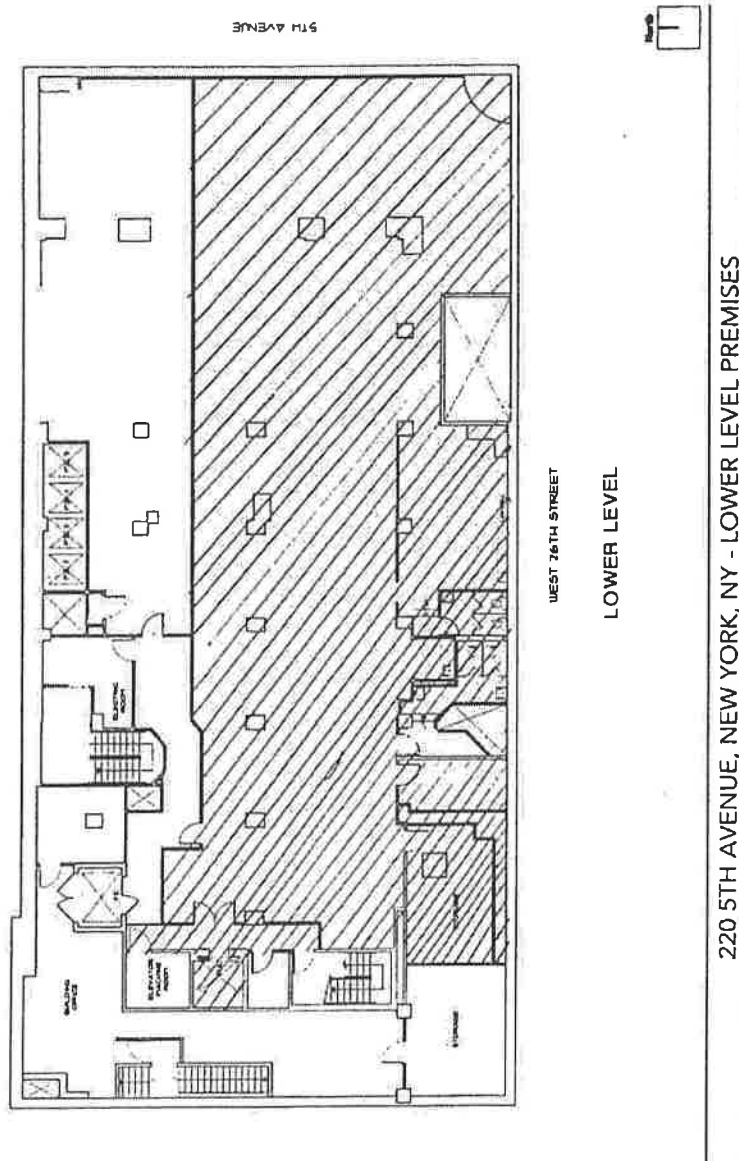
Not to scale; all dimensions approximate; subject to actual conditions.



Execution

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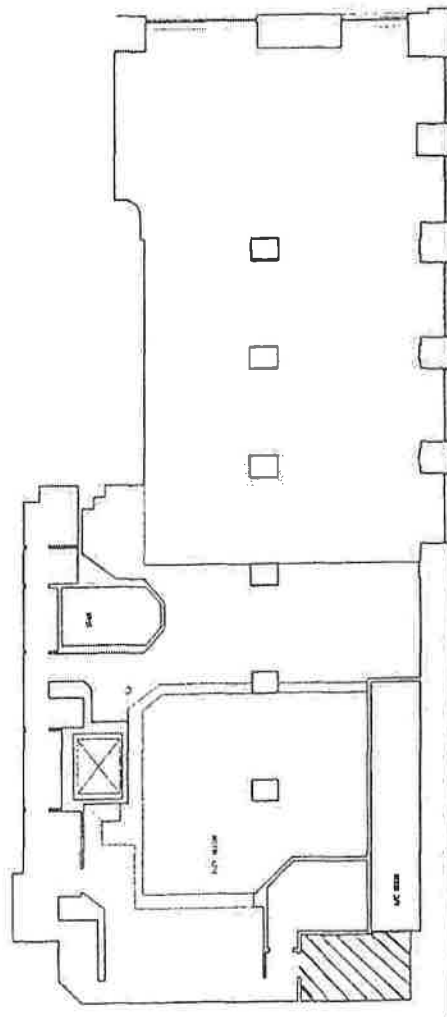
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Execution

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MEZZANINE

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Please Initial Here: Landlord \_\_\_\_\_

Tenant

A handwritten signature in black ink, appearing to be "CS", written over the Tenant line.

*Exhibit "B"*

Ledger

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# STELLAR MANAGEMENT

Date : 5/9/2018

## Lease Ledger

Code t0819146 Property 220fifth Lease From 3/15/2016  
 Name Scorpion Club Ventures, LLC Unit 220-SUBC Lease To 10/31/2031

Date	Description	Unit	Charge	Payment	Balance	Chg/Rec
4/1/2017	Previous balance carried forward.	220-SUBC	18,319.96		18,319.96	31513435
4/1/2017	Previous balance carried forward:	220-SUBC	4,197.00		22,516.96	31513437
4/1/2017	Commercial Rent (04/2017)	220-SUBC	17,706.42		40,223.38	31513679
4/1/2017	Sprinkler Charge (04/2017)	220-SUBC	200.00		40,423.38	31513680
4/1/2017	:Posted by QuickTrans (secdep)	220-SUBC	100,000.00		140,423.38	31540924
4/1/2017	Chk# :QuickTrans :Posted by QuickTrans			100,000.00	40,423.38	6293195
5/1/2017	Electric Sub-meter 03/21/17-04/19/17	220-SUBC	227.46		40,650.84	31537972
5/1/2017	Commercial Rent (05/2017)	220-SUBC	17,706.42		58,357.26	31538331
5/1/2017	Sprinkler Charge (05/2017)	220-SUBC	200.00		58,557.26	31538332
6/1/2017	Commercial Rent (06/2017)	220-SUBC	17,706.42		76,263.68	31566235
6/1/2017	Sprinkler Charge (06/2017)	220-SUBC	200.00		76,463.68	31566236
6/1/2017	Electric Sub-meter 4/19/17-05/09/17	220-SUBC	155.03		76,618.71	31567055
7/1/2017	Electric Sub-meter 5/09/17-06/08/17	220-SUBC	244.12		76,862.83	31593009
7/1/2017	Commercial Rent (07/2017)	220-SUBC	17,706.42		94,569.25	31596470
7/1/2017	Commercial Sprinkler and Water (07/2017)	220-SUBC	200.00		94,769.25	31596471
7/25/2017	Chk# 1679718332 :CHECKscan Payment			19,537.70	75,231.55	6372035
8/1/2017	Real Estate Tax for the period 07/17-06/18	220-SUBC	9,227.33		84,458.88	31618030
8/1/2017	Electric sub-meter 06/08/17-07/10/17	220-SUBC	200.96		84,659.84	31624412
8/1/2017	Commercial Rent (08/2017)	220-SUBC	17,706.42		102,366.26	31624706
8/1/2017	Commercial Sprinkler and Water (08/2017)	220-SUBC	200.00		102,566.26	31624707
9/1/2017	Electric sub-meter 7/10/17-08/08/17	220-SUBC	180.25		102,746.51	31653614
9/1/2017	Commercial Rent (09/2017)	220-SUBC	17,706.42		120,452.93	31653885

9/1/2017	Commercial Sprinkler and Water (09/2017)	220-SUBC	200.00		120,652.93	<u>31653886</u>
10/1/2017	Electric sub-meter 08/08/17-09/07/17	220-SUBC	165.18		120,818.11	<u>31679659</u>
10/1/2017	Commercial Rent (10/2017)	220-SUBC	7,996.45		128,814.56	<u>31679920</u>
10/1/2017	Commercial Rent (10/2017)	220-SUBC	10,001.27		138,815.83	<u>31679921</u>
10/1/2017	Commercial Sprinkler and Water (10/2017)	220-SUBC	200.00		139,015.83	<u>31679922</u>
10/18/2017	Credit October 2017 Rent	220-SUBC	(86,460.91)		52,554.92	<u>31708037</u>
10/18/2017	October 2017 Debit Judgement:	220-SUBC	3,509.99		56,064.91	<u>31708038</u>
10/18/2017	Credit Sprinkler charge.	220-SUBC	(600.00)		55,464.91	<u>31708039</u>
11/1/2017	Electric sub-meter 09/07/17-10/06/17	220-SUBC	284.62		55,749.53	<u>31707792</u>
11/1/2017	Commercial Rent (11/2017)	220-SUBC	18,237.63		73,987.16	<u>31709209</u>
11/1/2017	Commercial Sprinkler and Water (11/2017)	220-SUBC	200.00		74,187.16	<u>31709210</u>
11/1/2017	Judgement Receivable (11/2017)	220-SUBC	3,505.99		77,693.15	<u>31709211</u>
11/2/2017	Chk# 001111 :CHECKscan Payment			22,035.18	55,657.97	<u>6469931</u>
11/15/2017	1 Replacement Meter	220-SUBC	2,142.86		57,800.83	<u>31734510</u>
11/28/2017	Chk# :ACHWEB Online Payment Reversed by ctrl#6510795			12,000.00	45,800.83	<u>6488636</u>
11/29/2017	Chk# :ACHWEB Online Payment Reversed by ctrl#6510793			9,890.00	35,910.83	<u>6489474</u>
11/29/2017	Chk# :ACHWEB Online Payment			9,890.00	26,020.83	<u>6489476</u>
12/1/2017	Electric sub-meter 10/12/17-11/09/17	220-SUBC	192.96		26,213.79	<u>31737795</u>
12/1/2017	Commercial Rent (12/2017)	220-SUBC	18,237.63		44,451.42	<u>31738028</u>
12/1/2017	Commercial Sprinkler and Water (12/2017)	220-SUBC	200.00		44,651.42	<u>31738029</u>
12/1/2017	Judgement Receivable (12/2017)	220-SUBC	3,505.99		48,157.41	<u>31738030</u>
12/1/2017	Late fees as of December 2017	220-SUBC	24,572.00		72,729.41	<u>31759430</u>
12/7/2017	Chk# :ACHWEB Online Payment			13,000.00	59,729.41	<u>6504233</u>
12/15/2017	Returned check charge	220-SUBC	25.00		59,754.41	<u>31761541</u>
12/15/2017	Chk# :ACHWEB NSF receipt Ctrl# 6489474			(9,890.00)	69,644.41	<u>6510793</u>
12/15/2017	Chk# :ACHWEB NSF receipt Ctrl# 6488636			(12,000.00)	81,644.41	<u>6510795</u>
12/20/2017	Chk# :ACHWEB Online Payment			22,036.00	59,608.41	<u>6513384</u>
12/29/2017	Chk# :ACHWEB Online Payment			24,047.10	35,561.31	<u>6516257</u>
12/31/2017	December 2017 Late fees.	220-SUBC	1,900.00		37,461.31	<u>31764836</u>
1/1/2018	Electric sub-meter 11/9/17-12/13/17	220-SUBC	298.69		37,760.00	<u>31764387</u>
1/1/2018	Commercial Rent (01/2018)	220-SUBC	18,237.63		55,997.63	<u>31764884</u>

1/1/2018	Commercial Sprinkler and Water (01/2018)	220-SUBC	200.00	56,197.63	<u>31764885</u>
1/1/2018	Judgement Receivable (01/2018)	220-SUBC	3,505.99	59,703.62	<u>31764886</u>
1/29/2018	late fees	220-SUBC	1,892.00	61,595.62	<u>31794549</u>
2/1/2018	Electric sub-meter 12/13/18-1/12/18	220-SUBC	240.65	61,836.27	<u>31791326</u>
2/1/2018	Commercial Rent (02/2018)	220-SUBC	18,237.63	80,073.90	<u>31794675</u>
2/1/2018	Commercial Sprinkler and Water (02/2018)	220-SUBC	200.00	80,273.90	<u>31794676</u>
2/1/2018	Judgement Receivable (02/2018)	220-SUBC	3,505.99	83,779.89	<u>31794677</u>
2/27/2018	late fees	220-SUBC	1,390.00	85,169.89	<u>31822813</u>
2/27/2018	Charge for April 2017 monies owed with respect to the release of the lien on the building.	220-SUBC	1,800.00	86,969.89	<u>31822825</u>
2/27/2018	Reverse write off on 10/18/17.	220-SUBC	86,461.00	173,430.89	<u>31822826</u>
2/27/2018	Write-off the correct amount on 7/25/17.	220-SUBC	(76,538.00)	96,892.89	<u>31822827</u>
2/27/2018	8/1/17 Rent concession	220-SUBC	(17,706.00)	79,186.89	<u>31822828</u>
2/27/2018	Credit incorrect amount of late fee in 12/1/17.	220-SUBC	(24,572.00)	54,614.89	<u>31822829</u>
2/27/2018	Credit incorrect amount of late fee in 12/31/17.	220-SUBC	(1,900.00)	52,714.89	<u>31822830</u>
2/27/2018	Credit incorrect amount of late fee in 1/29/18.	220-SUBC	(1,832.00)	50,882.89	<u>31822831</u>
2/27/2018	Late fee as of 12/1/17	220-SUBC	13,231.00	64,113.89	<u>31822832</u>
2/27/2018	Late fee as of 12/31/17	220-SUBC	781.00	64,894.89	<u>31822833</u>
2/27/2018	Late fees as of 1/29/18	220-SUBC	685.00	65,579.89	<u>31822834</u>
2/27/2018	Reverse - Credit incorrect amount of late fee in 1/29/18.	220-SUBC	1,832.00	67,411.89	<u>31824032</u>
2/27/2018	Credit incorrect amount of late fee in 1/29/18.	220-SUBC	(1,892.00)	65,519.89	<u>31824033</u>
2/28/2018	9/1/17 Rent concession	220-SUBC	(17,706.00)	47,813.89	<u>31822907</u>
3/1/2018	Electric Sub-meter 1/12/18-2/13/18	220-SUBC	295.98	48,109.87	<u>31819677</u>
3/1/2018	Commercial Rent (03/2018)	220-SUBC	18,237.63	66,347.50	<u>31822886</u>
3/1/2018	Commercial Sprinkler and Water (03/2018)	220-SUBC	200.00	66,547.50	<u>31822887</u>
3/1/2018	Judgement Receivable (03/2018)	220-SUBC	3,505.99	70,053.49	<u>31822888</u>
3/20/2018	Electric Sub-meter 2/13/18-3/15/2018	220-SUBC	139.93	70,193.42	<u>31847922</u>
3/29/2018	late fees	220-SUBC	2,241.00	72,434.42	<u>31851231</u>
4/1/2018	Commercial Rent (04/2018)	220-SUBC	18,237.63	90,672.05	<u>31851287</u>

Ledger

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4/1/2018	Commercial Sprinkler and Water (04/2018)	220-SUBC	200.00		90,872.05	<u>31851288</u>
4/1/2018	Judgement Receivable (04/2018)	220-SUBC	3,505.99		94,378.04	<u>31851289</u>
4/25/2018	Electric Sub Meter 3/15/2018-4/13/2018	220-SUBC	67.09		94,445.13	<u>31879060</u>
4/27/2018	Late fees.	220-SUBC	3,013.00		97,458.13	<u>31879372</u>
5/1/2018	Commercial Rent (05/2018)	220-SUBC	18,237.63		115,695.76	<u>31898407</u>
5/1/2018	Commercial Sprinkler and Water (05/2018)	220-SUBC	200.00		115,895.76	<u>31898408</u>
5/1/2018	Judgement Receivable (05/2018)	220-SUBC	3,505.99		119,401.75	<u>31898409</u>
5/9/2018	Security Deposit Drawdown	220-SUBC	(65,000.00)		54,401.75	<u>31901424</u>

*Exhibit "C"*

**AMENDED NOTICE OF INTENT**

**TO:** Scorpion Fitness Inc. and Scorpion Club Ventures, LLC ("Tenant").

**PREMISES:** All rooms/areas of a portion of the ground floor, mezzanine, and lower level, as shown hatched on the floor plans annexed hereto as **Exhibit 1** and incorporated by reference as if fully set forth in length, in the building known as and located at 220 Fifth Avenue, New York, New York 10001.

**LEASE:** dated December 19, 2014, by and between Landlord's predecessor-in-interest, Dino & Sons Realty Corp., as landlord, and Tenant, as tenant. Said Lease being modified by a First Lease Modification Agreement, dated June 30, 2017.

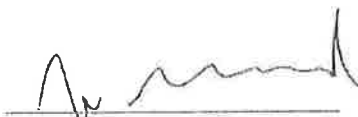
**DATE OF THIS NOTICE:** March 8, 2018

**PLEASE TAKE NOTICE**, you are justly indebted to the Landlord of the Premises in the total sum of \$70,053.00, as set forth in the ledger annexed hereto as **Exhibit 2** and incorporated by reference as if fully set forth in length, which sum you are required to pay on or before **March 19, 2018**, that being at least five (5) days after the date of service of this Notice upon you. That, in accordance with Sections 17 and 31 of the referenced Lease, if you fail to pay the aforementioned rental arrears on or before **March 19, 2018**, the Landlord shall be entitled to: (i) apply and retain the whole or part of the Security Deposit to the extent required for the payment of the aforementioned rental arrears; and (ii) you shall be required to deposit with Landlord the amount so applied or retained so that Landlord shall have the full Security Deposit on hand at all times during the Term pursuant to Section 31 of the referenced Lease.


**PLEASE TAKE FURTHER NOTICE**, this Notice is served upon you pursuant to Sections 17, 27, and 31 of the Lease and other applicable provisions of law and/or statutes.

**PLEASE TAKE FURTHER NOTICE**, pursuant to Sections 19, 31, and 51(B) of the Lease, you are responsible for any and all legal expenses and attorneys' fees incurred by the Landlord.

**PLEASE TAKE FURTHER NOTICE**, that any response to this Notice must be sent and directed to the below-named attorneys for the Landlord.

  
Kossov, PLLC  
Attorneys for Landlord  
By: Joseph Goldsmith, Esq.  
217 Broadway, Suite 401  
New York, New York 10007  
Tel.: (212) 267-6364  
Email: jgoldsmith@kaulaw.com

**220 FIFTH REALTY LLC**  
[Landlord]

  
By: Matthew Lembo  
Title: Vice President and Authorized Signatory

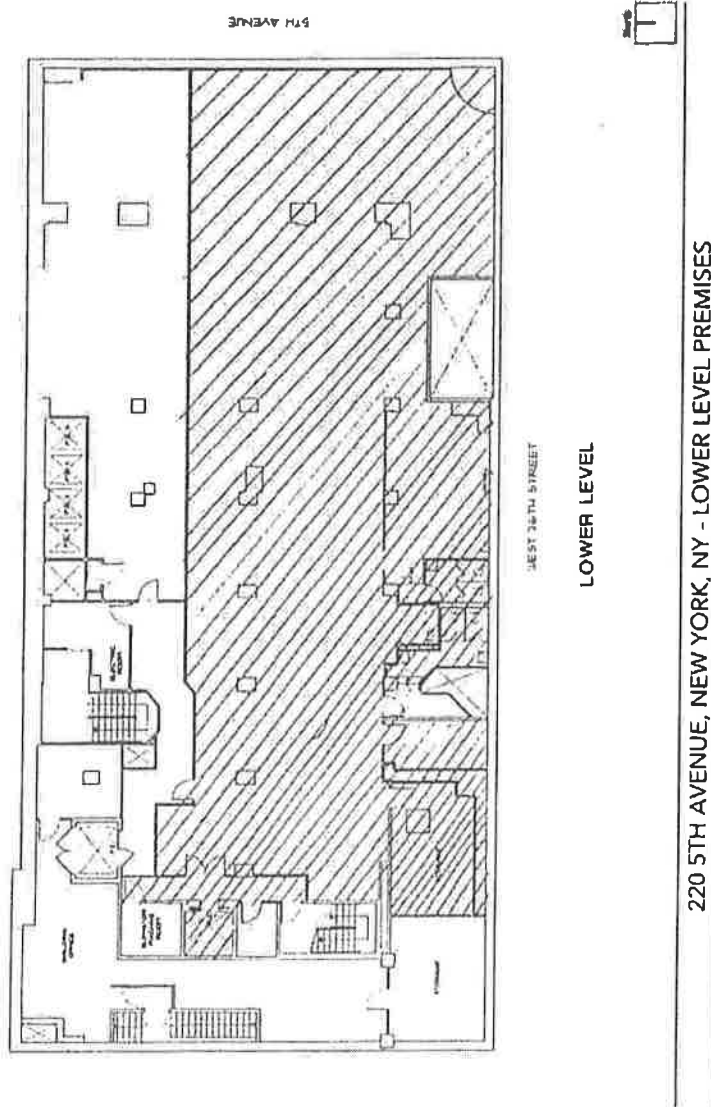
*Exhibit "1"*

Please Initial Here: Landlord Tennant

Execution

12/19/2014

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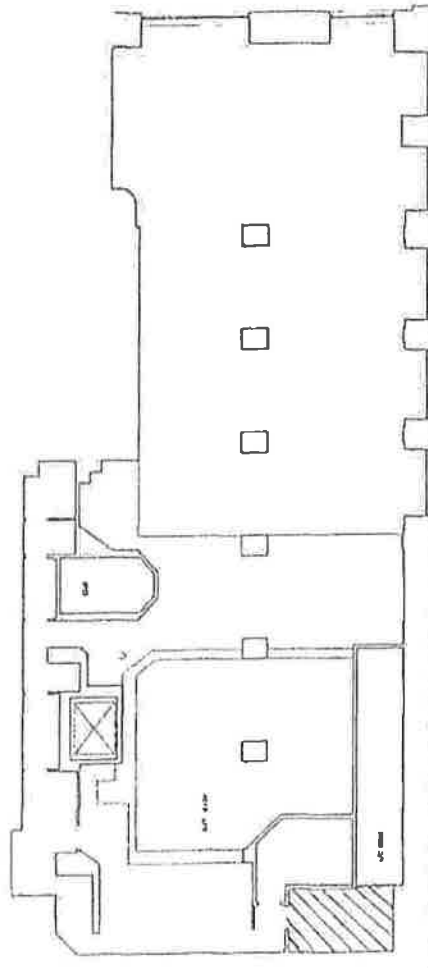
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Please Initial Here: Landlord \_\_\_\_\_ Tenant 

Execution

12/19/2014

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MEZZANINE

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Please Initial Here: Landlord \_\_\_\_\_ Tenant 

*Exhibit "2"*

220 5th Avenue  
Scorpion Club Ventures, LLC Ledger

Last Updated: 03/07/18

CONFIDENTIAL: FOR STELLAR MANAGEMENT INTERNAL USE ONLY

Summary Ledger	
Charge Type	Total Charges
Base Rent	\$142,834
Reimbursements	9,227
Submetering Charges	2,488
Other Charges	109,986
Late Fees	16,087
Total Charges	\$280,609
Less: Payments	(\$210,546)
Not Due	\$70,063

220 5th Avenue  
Scorpion Club Ventures, LLC Ledger

Last Updated: 03/07/18

CONFIDENTIAL: FOR STELLAR MANAGEMENT INTERNAL USE ONLY

Detailed Ledger

Date	Description	Charge Type	Charges / Payments		
			Charge	Payment	Balance
04/01/2017	Previous balance carried forward	Base Rent	518,320		518,320
04/01/2017	Previous balance carried forward	Other Charges	4,197		22,517
04/01/2017	Commercial Rent (04/2017)	Base Rent	17,706		40,223
04/01/2017	Sprinkler Charge (04/2017)	Other Charges	200		40,423
04/01/2017	:Posted by QuickTrans (sectop)	Other Charges	140,000		140,423
04/01/2017	Chk# QuickTrans :Posted by QuickTrans	Payment		100,000	40,423
05/01/2017	Electric Sub-meter 03/21/17-04/10/17	Submetering Charges	227		40,651
05/01/2017	Commercial Rent (05/2017)	Base Rent	17,706		58,357
05/01/2017	Sprinkler Charge (05/2017)	Other Charges	200		58,557
06/01/2017	Commercial Rent (06/2017)	Base Rent	17,706		76,264
06/01/2017	Sprinkler Charge (06/2017)	Other Charges	200		76,464
06/01/2017	Electric Sub-meter 4/19/17-05/09/17	Submetering Charges	155		76,619
07/01/2017	Electric Sub-meter 5/09/17-06/09/17	Submetering Charges	244		76,863
07/01/2017	Commercial Rent (07/2017)	Base Rent	17,706		94,569
07/01/2017	Commercial Sprinkler and Water (07/2017)	Other Charges	200		94,769
07/25/2017	Chk# 1679718332:CHECKscan Payment	Payment		19,538	75,232
08/01/2017	Real Estate Tax for the period 07/17-06/18	Rembursements	8,222		84,450
08/01/2017	Electric sub-meter 06/08/17-07/10/17	Submetering Charges	201		84,650
08/01/2017	Commercial Rent (08/2017)	Base Rent	17,706		102,356
08/01/2017	Commercial Sprinkler and Water (08/2017)	Other Charges	200		102,556
09/01/2017	Electric sub-meter 7/10/17-08/09/17	Submetering Charges	180		102,737
09/01/2017	Commercial Rent (09/2017)	Base Rent	17,706		120,453
09/01/2017	Commercial Sprinkler and Water (09/2017)	Other Charges	200		120,653
10/01/2017	Electric sub-meter 08/29/17-09/27/17	Submetering Charges	165		120,818
10/01/2017	Commercial Rent (10/2017)	Base Rent	7,396		128,215
10/01/2017	Commercial Rent (10/2017)	Base Rent	10,001		138,016
10/01/2017	Commercial Sprinkler and Water (10/2017)	Other Charges	200		139,016
10/18/2017	Credit October 2017 Rent	Base Rent	(80,461)		58,555
10/18/2017	October 2017 Debt Judgement	Base Rent	3,510		56,065
10/18/2017	Credit Sprinkler charge	Other Charges	(600)		55,465
11/01/2017	Electric sub-meter 10/27/17-10/26/17	Submetering Charges	285		55,750
11/01/2017	Commercial Rent (11/2017)	Base Rent	18,238		73,987
11/01/2017	Commercial Sprinkler and Water (11/2017)	Other Charges	200		74,187
11/01/2017	Judgment Receivable (11/2017)	Base Rent	3,506		77,693
11/02/2017	Chk# 001111:CHECKscan Payment	Payment		22,035	55,658
11/15/2017	1 Replacement Meter	Other Charges	2,143		57,801
11/28/2017	Chk# ACHWEB Online Payment Reversed by cl#W6510795	Payment		12,000	45,801
11/29/2017	Chk# ACHWEB Online Payment Reversed by cl#W6510793	Payment		9,990	35,911
11/29/2017	Chk# ACHWEB Online Payment	Payment		9,990	26,021
12/01/2017	Electric sub-meter 10/12/17-11/09/17	Submetering Charges	154		26,214
12/01/2017	Commercial Rent (12/2017)	Base Rent	18,238		44,451
12/01/2017	Commercial Sprinkler and Water (12/2017)	Other Charges	200		44,651
12/01/2017	Judgment Receivable (12/2017)	Base Rent	3,506		48,157
12/01/2017	Late fees as of December 2017	Late Fees	24,572		72,729
12/07/2017	Chk# ACHWEB Online Payment	Payment		13,000	59,729
12/15/2017	Returned check charge	Other Charges	25		59,754
12/15/2017	Chk# ACHWEB NSF receipt Cl#P 6489474	Payment		(9,850)	69,604
12/15/2017	Chk# ACHWEB NSF receipt Cl#P 6400636	Payment		(12,000)	81,604
12/20/2017	Chk# ACHWEB Online Payment	Payment		22,035	99,609
12/29/2017	Chk# ACHWEB Online Payment	Payment		24,042	123,651
12/31/2017	December 2017 Late fees	Late Fees	1,000		124,651
01/01/2018	Electric sub-meter 11/27/17-12/13/17	Submetering Charges	259		124,910
01/01/2018	Commercial Rent (01/2018)	Base Rent	18,238		143,148
01/01/2018	Commercial Sprinkler and Water (01/2018)	Other Charges	200		143,348
01/01/2018	Judgment Receivable (01/2018)	Base Rent	3,606		146,954
01/29/2018	Late fees	Late Fees	1,892		148,846
02/01/2018	Electric sub-meter 12/13/18-1/12/18	Submetering Charges	241		149,087
02/01/2018	Commercial Rent (02/2018)	Base Rent	19,238		168,325
02/01/2018	Commercial Sprinkler and Water (02/2018)	Other Charges	200		168,525
02/01/2018	Judgment Receivable (02/2018)	Base Rent	3,506		172,031
02/27/2018	Late fees	Late Fees	1,358		173,389
02/27/2018	Charge for April 2017 invoices owed with respect to the release of the lien on the building	Other Charges	1,800		175,189
02/27/2018	Reverse write off on 10/18/17	Base Rent	35,461		140,728
02/27/2018	Write-off the correct amount on 7/29/17	Base Rent	(76,538)		64,190
02/27/2018	8/1/17 Rent concession	Base Rent	(17,706)		46,484
02/27/2018	Credit incorrect amount of late fee in 12/1/17	Late Fees	(24,572)		21,912
02/27/2018	Credit incorrect amount of late fee in 12/31/17	Late Fees	(1,900)		20,012
02/27/2018	Credit incorrect amount of late fee in 1/29/18	Late Fees	(1,892)		18,120
02/27/2018	Late fee as of 12/1/17	Late Fees	13,231		31,351
02/27/2018	Late fee as of 12/31/17	Late Fees	791		32,142
02/27/2018	Late fees as of 1/29/18	Late Fees	695		32,837
02/28/2018	8/1/17 Rent concession	Base Rent	(17,706)		15,131
03/01/2018	Electric Sub-meter 1/12/18-2/13/18	Submetering Charges	259		15,390
03/01/2018	Commercial Rent (03/2018)	Base Rent	18,238		33,628
03/01/2018	Commercial Sprinkler and Water (03/2018)	Other Charges	200		33,828
03/01/2018	Judgment Receivable (03/2018)	Base Rent	3,506		37,334
Total			\$280,699	\$210,548	\$70,053

AFFIDAVIT OF SERVICE

STATE OF NEW YORK }  
 } s.s.  
COUNTY OF NEW YORK }

I, Tara George being duly sworn, deposes and says:

I am not a party to this action, am over 18 years of age and reside in the Queens, New York.

On March 8, 2018, I served the within **AMENDED NOTICE OF INTENT** upon:

Scorpion Fitness, Inc.  
220 Fifth Avenue,  
New York, New York 10001

Scorpion Fitness, Inc.  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

Scorpion Club Ventures LLC  
220 Fifth Avenue,  
New York, New York 10001

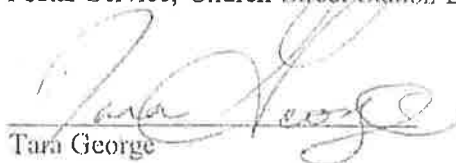
Scorpion Club Ventures LLC  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

Scorpion Fitness, Inc.  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

Massimo F. D'Angelo  
ADAM LEITMAN BAILEY, P.C.  
One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004

Scorpion Club Ventures LLC  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

by mailing the same first class with certificates of mailing in sealed envelopes, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the addressees as indicated above and by overnight mail service (with Express Mail codes EF139728781US, EF139728778US, EF139728764US, EF139728821US, EF139728818US, EF139728804US, EF139728795US) by placing the same in a postpaid, properly addressed and sealed envelopes and delivering said envelopes to a postal employee at a United States Post Office in the Borough of Manhattan, City and State of New York for processing under the exclusive care and custody of the United States Postal Service, Church Street Station Branch, within the City, County and State of New York.

  
Tara George

Sworn to before me this  
9<sup>th</sup> day of March, 2018

  
Notary Public

JOSEPH SHALOM GOLDSMITH  
Notary Public, State of New York  
No. 02005106240  
Qualified in Queens County  
Commission Expires April 18, 20 20

**UNITED STATES POSTAL SERVICE** Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Fitness, Inc.  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

PS Form 3817, April 2007 PSN 7530-02-000-9065

**\$1.400**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007

CHURCH STREET STATION  
MAR 3 2018  
NEW YORK NY 10007

**UNITED STATES POSTAL SERVICE** Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Club Ventures LLC  
325 Fifth Avenue, Ste. 412  
New York, New York 10016

PS Form 3817, April 2007 PSN 7530-02-000-9065

**\$1.400**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007

CHURCH STREET STATION  
MAR 3 2018  
NEW YORK NY 10007

**UNITED STATES POSTAL SERVICE** Certificate of Mailing

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From: Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Club Ventures LLC  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

PS Form 3817, April 2007 PSN 7530-02-000-9065

**\$1.400**  
US POSTAGE  
FIRST-CLASS  
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10007

CHURCH STREET STATION  
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NEW YORK NY 10007

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From: Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Club Ventures LLC  
220 Fifth Avenue  
New York, New York 10001

PS Form 3817, April 2007 PSN 7530-02-000-9065

**\$1.400**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007

CHURCH STREET STATION  
MAR 3 2018  
NEW YORK NY 10007

**UNITED STATES**  
**POSTAL SERVICE**  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing. This form may be used for domestic and international mail.

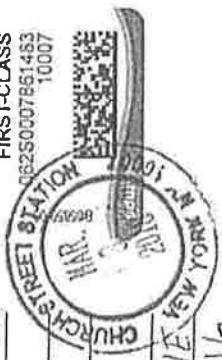
From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Scorpion Fitness Inc.  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

PS Form 3817, April 2007 PSN 7530-02-000-9065

To pay fee, affix stamp or meter postage here.

**\$1.40**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007



**UNITED STATES**  
**POSTAL SERVICE**  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing. This form may be used for domestic and international mail.

From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Scorpion Fitness Inc.  
220 Fifth Avenue  
New York, New York 10001

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES**  
**POSTAL SERVICE**  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing. This form may be used for domestic and international mail.

From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Massimo F. D'Angelo  
Adam Lettman Bailey, P.C.  
One Battery Park Plaza, 21st Floor  
New York, New York 10004

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES**  
**POSTAL SERVICE**  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing. This form may be used for domestic and international mail.

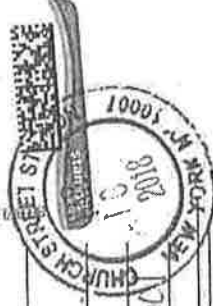
From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Scorpion Fitness Inc.  
220 Fifth Avenue  
New York, New York 10001

PS Form 3817, April 2007 PSN 7530-02-000-9065

To pay fee, affix stamp or meter postage here.

**\$1.40**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007



**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) PHONE: 1

K0880FF, PLLC  
217 BROADWAY, SUITE H 401  
NEW YORK, NY 10007-2944

220 Fifth Avenue (Asm)

**PAYMENT BY ACCOUNT (if applicable)**  
USPS® Corporate Acct. No. 092004 Federal Agency Acct. No. or Postal Service® Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**  
☐ SIGNATURE REQUIRED Note: The addressee must check the "Signature Required" box if the addressee requires the addressee's signature. (On 2) Purchases additional insurance. (On 3) Purchases COD service. (On 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.  
**Delivery Options**  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT) PHONE: 1

Scorpion Fitness, Inc.  
220 Fifth Avenue  
New York, New York 10001

ZIP + 4® (U.S. ADDRESSES ONLY)  
1 0 0 0 1 -



**UNITED STATES POSTAL SERVICE®**

**PRIORITY MAIL EXPRESS™**

**ORIGIN (POSTAL SERVICE USE ONLY)**  
☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO  
PO ZIP Code 10001  
Date Accepted (MM/DD/YY) 3/5/18  
Time Accepted 16:00  
Weight 5.00  
Flat Rate ☐ Flat Rate  
Signature Required ☐ Signature Required  
Signature of Addressee ☐ Signature of Addressee  
Signature of Employee ☐ Signature of Employee

**DELIVERY (POSTAL SERVICE USE ONLY)**  
Delivery Address (MM/DD/YY) Time ☐ AM ☐ PM  
Delivery Address (MM/DD/YY) Time ☐ AM ☐ PM  
Employee Signature  
Employee Signature

LABOR 1-1, SEPTEMBER 2015 PSN 7490 02 000 0000 2-CUSTOMER COPY

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 Insurance Included.  
Amended notice of intent

**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) PHONE: 1

K0880FF, PLLC  
217 BROADWAY, SUITE H 401  
NEW YORK, NY 10007-2944

220 Fifth Avenue (Asm)

**PAYMENT BY ACCOUNT (if applicable)**  
USPS® Corporate Acct. No. 092004 Federal Agency Acct. No. or Postal Service® Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**  
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☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT) PHONE: 1

Scorpion Fitness, Inc.  
88 Lexington Ave., Ste. 90  
New York, New York 10016

ZIP + 4® (U.S. ADDRESSES ONLY)  
1 0 0 1 6 -



**UNITED STATES POSTAL SERVICE®**

**PRIORITY MAIL EXPRESS™**

**ORIGIN (POSTAL SERVICE USE ONLY)**  
☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO  
PO ZIP Code 10001  
Date Accepted (MM/DD/YY) 3/5/18  
Time Accepted 16:00  
Weight 5.00  
Flat Rate ☐ Flat Rate  
Signature Required ☐ Signature Required  
Signature of Addressee ☐ Signature of Addressee  
Signature of Employee ☐ Signature of Employee

**DELIVERY (POSTAL SERVICE USE ONLY)**  
Delivery Address (MM/DD/YY) Time ☐ AM ☐ PM  
Delivery Address (MM/DD/YY) Time ☐ AM ☐ PM  
Employee Signature  
Employee Signature

LABOR 1-1, SEPTEMBER 2015 PSN 7490 02 000 0000 2-CUSTOMER COPY

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 Insurance Included.  
Amended notice of intent

**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) KOSBOFF, PLLC  
217 BROADWAY, SUITE # 401  
NEW YORK, NY 10007-2944

PHONE: ( )

220 Fifth Scorpion (AKM)

**PAYMENT BY ACCOUNT (if applicable)**

USPS® Corporate Acct. No. 092004 Federal Agency Acct. No. or Postal Service® Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

**Delivery Options:**

☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT) Scorpion Club Ventures LLC  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

PHONE: ( )

ZIP: 10016 (U.S. ADDRESSES ONLY)



EF 139728804 US

**UNITED STATES POSTAL SERVICE®**

**PRIORITY MAIL EXPRESS™**

**CH 210 (POSTAL SERVICE USE ONLY)**

1-Day ☐ 2-Day ☐ Military ☐ DPO ☐

PD Zip Code 10001 Scheduled Delivery Date (MM/DD/YY) 3/9

Date Accepted (MM/DD/YY) 3/8/18 Scheduled Delivery Time ☐ 10:30 AM ☐ 3:00 PM ☐ 12 NOON

Time Accepted 16:45 ☐ AM ☒ PM 10:30 AM Delivery Fee \$

Weight 5.00 LBS ☐ Flat Rate Sunday/Holiday Premium Fee \$

Insurance Fee \$ COD Fee \$

Return Receipt Fee \$ Live Address Investigation Fee \$

Total Postage & Fees \$ 27.40

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt (MM/DD/YY) Type ☐ AM ☐ PM Employee Signature

Delivery Attempt (MM/DD/YY) Type ☐ AM ☐ PM Employee Signature

DATE TYPED: SEPTEMBER 2015 PSN 7600-02-000-0000 2-CUSTOMER COPY

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 Insurance included.  
Amended Notice of Intent

**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) KOSBOFF, PLLC  
217 BROADWAY, SUITE # 401  
NEW YORK, NY 10007-2944

PHONE: ( )

220 Fifth Scorpion (AKM)

**PAYMENT BY ACCOUNT (if applicable)**

USPS® Corporate Acct. No. 092004 Federal Agency Acct. No. or Postal Service® Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

**Delivery Options:**

☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT) Scorpion Club Ventures LLC  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

PHONE: ( )

ZIP: 10016 (U.S. ADDRESSES ONLY)



EF 139728818 US

**UNITED STATES POSTAL SERVICE®**

**PRIORITY MAIL EXPRESS™**

**CH 210 (POSTAL SERVICE USE ONLY)**

1-Day ☐ 2-Day ☐ Military ☐ DPO ☐

PD Zip Code 10001 Scheduled Delivery Date (MM/DD/YY) 3/9

Date Accepted (MM/DD/YY) 3/8/18 Scheduled Delivery Time ☐ 10:30 AM ☐ 3:00 PM ☐ 12 NOON

Time Accepted 16:45 ☐ AM ☒ PM 10:30 AM Delivery Fee \$

Weight 5.00 LBS ☐ Flat Rate Sunday/Holiday Premium Fee \$

Insurance Fee \$ COD Fee \$

Return Receipt Fee \$ Live Address Investigation Fee \$

Total Postage & Fees \$ 27.40

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt (MM/DD/YY) Type ☐ AM ☐ PM Employee Signature

Delivery Attempt (MM/DD/YY) Type ☐ AM ☐ PM Employee Signature

DATE TYPED: SEPTEMBER 2015 PSN 7600-02-000-0000 2-CUSTOMER COPY

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1011.  
\$100.00 Insurance included.  
Amended notice of intent

**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) PHONE ( )

KOSSOFF, PLLC  
217 BROADWAY, SUITE # 401  
NEW YORK, NY 10007-2944

220 Fifth Avenue (ASM)

**PAYMENT BY ACCOUNT (If applicable)**

USPS® Corporate Acct. No. 092004 Federal Agency Acct. No. or Postal Service® Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**

☐ SIGNATURE REQUIRED Note: The meter must check the "Signature Required" box if the meter requires the addressee's signature. On 2) Purchases additional insurance. On 3) Purchases COD service. On 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the mailbox or mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

**Delivery Options**

☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT) PHONE ( )

Massimo F. D'Angelo  
Adam Leitman Bailey, P.C.  
One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004

ZIP + 4® (U.S. ADDRESSES ONLY)  
10004

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 Insurance included.  
Amended notice of intent



EF 139728795 US

**UNITED STATES POSTAL SERVICE®**

**PRIORITY MAIL EXPRESS™**

**ORIGIN (POSTAL SERVICE USE ONLY)**

☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO

Scheduled Delivery Date (MM/DD/YY) 3/9

Date Accepted (MM/DD/YY) 3/8/18

Time Accepted 16:00 ☐ AM ☒ PM

Weight 1 Flat Rate ☐ Flat Rate

Postage \$ 27.40

Insurance Fee \$

10:30 AM Delivery Fee \$

10:30 AM Delivery Fee \$

Sunday/Holiday Premium Fee \$

Return Receipt Fee \$ 2.00

Live Animal Transportation Fee \$

Total Postage & Fees \$ 29.40

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt (MM/DD/YY) Time ☐ AM ☐ PM Employee Signature

Delivery Attempt (MM/DD/YY) Time ☐ AM ☐ PM Employee Signature

DATE: SEPTEMBER 2018 PSN 7550 02-000-9998 2-CUSTOMER COPY

**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) PHONE ( )

KOSSOFF, PLLC  
217 BROADWAY, SUITE # 401  
NEW YORK, NY 10007-2944

220 Fifth Avenue (ASM)

**PAYMENT BY ACCOUNT (If applicable)**

USPS® Corporate Acct. No. 092004 Federal Agency Acct. No. or Postal Service® Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**

☐ SIGNATURE REQUIRED Note: The meter must check the "Signature Required" box if the meter requires the addressee's signature. On 2) Purchases additional insurance. On 3) Purchases COD service. On 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the mailbox or mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

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☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT) PHONE ( )

Scorpion Club Ventures LLC  
220 Fifth Avenue  
New York, New York 10001

ZIP + 4® (U.S. ADDRESSES ONLY)  
10001

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 Insurance included.  
Amended notice of intent



EF 139728778 US

**UNITED STATES POSTAL SERVICE®**

**PRIORITY MAIL EXPRESS™**

**ORIGIN (POSTAL SERVICE USE ONLY)**

☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO

Scheduled Delivery Date (MM/DD/YY) 3/9

Date Accepted (MM/DD/YY) 3/8/18

Time Accepted 16:00 ☐ AM ☒ PM

Weight 5 Flat Rate ☐ Flat Rate

Postage \$ 27.40

Insurance Fee \$

10:30 AM Delivery Fee \$

10:30 AM Delivery Fee \$

Sunday/Holiday Premium Fee \$

Return Receipt Fee \$ 2.00

Live Animal Transportation Fee \$

Total Postage & Fees \$ 29.40

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt (MM/DD/YY) Time ☐ AM ☐ PM Employee Signature

Delivery Attempt (MM/DD/YY) Time ☐ AM ☐ PM Employee Signature

DATE: SEPTEMBER 2018 PSN 7550 02-000-9998 2-CUSTOMER COPY

**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) PHONE: ( )

KOBBOFF, PLLC  
217 BROADWAY, SUITE W 401  
NEW YORK, NY 10007-2944

220 Fifth Scorpion (Asm)

**PAYMENT BY ACCOUNT (if applicable)**  
USPS Corporate Acct. No. 092004 Federal Agency Acct. No. or Postal Service™ Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**

☐ **SIGNATURE REQUIRED** Note: The addressee must check the "Signature Required" box. Requires the addressee's signature. ☐ **2** Purchases additional insurance; ☐ **3** Purchases Priority Mail Flat Rate service. If the box is not checked, the Postal Service will leave the item without receiptable or other secure location without attempting to obtain the addressee's signature.

**Delivery Options**

☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT) PHONE: ( )

Scorpion Fitness, Inc.  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

ZIP + 4® (U.S. ADDRESSES ONLY)  
1 0 0 1 6 -

■ For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
■ \$100.00 Insurance Included.

Amended notice of intent



UNITED STATES  
POSTAL SERVICE®

PRIORITY  
\* MAIL \*  
EXPRESS™

**ORIGIN (POSTAL SERVICE USE ONLY)**

☐ 1- Day ☐ 2- Day ☐ Military ☐ DPO

Postage \$ 27.40

Scheduled Delivery Date (MM/DD/YYYY) 3/9

Scheduled Delivery Time (MM/DD/YYYY) 10:30 AM - 12:00 PM

Insurance Fee \$ 2.00

Weight 16.11 lbs

Time Accepted 16:11

Acceptance Employee Initials

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Address (MM/DD/YYYY) Time ☐ AM ☐ PM

Delivery Address (MM/DD/YYYY) Time ☐ AM ☐ PM

Employee Signature

Employee Signature

LABEL TYPE: SEPTEMBER 2015 PSN 7653 02 000 1000 2-CUSTOMER COPY

Amended Notice of Intent

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK    }  
                                      } s.s.  
COUNTY OF NEW YORK }

I, Tara George being duly sworn, deposes and says:

I am not a party to this action, am over 18 years of age and reside in the Queens, New York.

On May 10, 2018, I served the within **NOTICE AND DEMAND TO REPLENISH AND PAY** upon:

Scorpion Fitness, Inc.  
220 Fifth Avenue,  
New York, New York 10001

Scorpion Fitness, Inc.  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

Scorpion Club Ventures LLC  
220 Fifth Avenue,  
New York, New York 10001

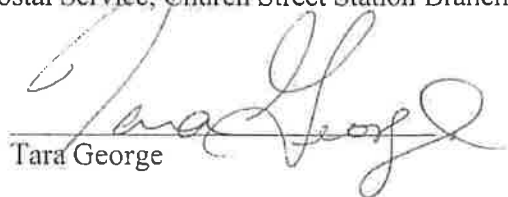
Scorpion Club Ventures LLC  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

Scorpion Fitness, Inc.  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

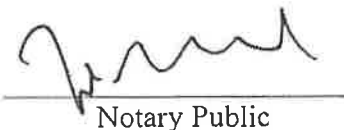
Massimo F. D'Angelo  
ADAM LEITMAN BAILEY, P.C.  
One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004

Scorpion Club Ventures LLC  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

by mailing the same first class with certificates of mailing in sealed envelopes, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the addressees as indicated above and by overnight mail service (with Express Mail codes EF167483824US, EF167483775US, EF167483807US, EF167483798US, EF167483577US, EF167483550US, EF167483563US) by placing the same in a postpaid, properly addressed and sealed envelopes and delivering said envelopes to a postal employee at a United States Post Office in the Borough of Manhattan, City and State of New York for processing under the exclusive care and custody of the United States Postal Service, Church Street Station Branch, within the City, County and State of New York.

  
Tara George

Sworn to before me this  
11<sup>th</sup> day of May, 2018

  
Notary Public

JOSEPH SHALOM GOLDSMITH  
Notary Public, State of New York  
No. 02G06108548  
Qualified in Queens County  
Commission Expires April 19, 20 20

**UNITED STATES POSTAL SERVICE** Certificate of Mailing

To pay fee, affix stamps or meter postage here.

**\$1.40 0**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007

From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Scorpion Club Ventures LLC  
220 Fifth Avenue  
New York, New York 10001

PS Form 3817, April 2007 PSN 7530-02-000-9065

CHURCH STATION NEW YORK, NY 10007  
MAY 10 2018

**UNITED STATES POSTAL SERVICE** Certificate of Mailing

To pay fee, affix stamps or meter postage here.

**\$1.40 0**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007

From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Scorpion Club Ventures LLC  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

PS Form 3817, April 2007 PSN 7530-02-000-9065

CHURCH STATION NEW YORK, NY 10007  
MAY 10 2018

**UNITED STATES POSTAL SERVICE** Certificate of Mailing

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**\$1.40 0**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007

From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Scorpion Fitness, Inc.  
220 Fifth Avenue  
New York, New York 10001

PS Form 3817, April 2007 PSN 7530-02-000-9065

CHURCH STATION NEW YORK, NY 10007  
MAY 10 2018

**UNITED STATES POSTAL SERVICE** Certificate of Mailing

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**\$1.40 0**  
US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007

From: Kossoff, PLLC  
217 Broadway - Suite 401  
New York, NY 10007

To: Scorpion Fitness, Inc.  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

PS Form 3817, April 2007 PSN 7530-02-000-9065

CHURCH STATION NEW YORK, NY 10007  
MAY 10 2018

**UNITED STATES**  
**POSTAL SERVICE**

**Certificate of Mailing**

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

**From:** Kossoff, PLLC

217 Broadway - Suite 401

New York, NY 10007

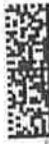
**To:** Scorpion Club Ventures LLC

88 Lexington Ave, Ste. 9D

New York, New York 10016

**\$1.40 0**

US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007



PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES**  
**POSTAL SERVICE**

**Certificate of Mailing**

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

**From:** Kossoff, PLLC

217 Broadway - Suite 401

New York, NY 10007

**To:** Scorpion Fitness, Inc.

88 Lexington Ave, Ste. 9D

New York, New York 10016

**\$1.40 0**

US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007



PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES**  
**POSTAL SERVICE**

**Certificate of Mailing**

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

**From:** Kossoff, PLLC

217 Broadway - Suite 401

New York, NY 10007

**To:** Massimo F. D'Angelo

Adam Leitman Bailey, P.C.

One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004

**\$1.40 0**

US POSTAGE  
FIRST-CLASS  
062S0007861483  
10007



PS Form 3817, April 2007 PSN 7530-02-000-9065

CUSTOMER USE ONLY Default Pg 37 of 51

FROM: (PLEASE PRINT) PHONE ( ) 212 267 6364

MITCHELL H KOSSOFF ESQ  
 KOSSOFF PLLC  
 217 BROADWAY RM 401  
 NEW YORK, NY 10007-2944



EF 167483775 US



**PRIORITY  
 MAIL  
 EXPRESS™**

## PAYMENT BY ACCOUNT (if applicable)

USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

092004

## DELIVERY OPTIONS (Customer Use Only)

☐ SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

## Delivery Options

- ☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
 \*Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT) PHONE ( )

Scorpion Club Ventures LLC  
 220 Fifth Avenue  
 New York, New York 10001

ZIP + 4® (U.S. ADDRESSES ONLY)

1 0 0 0 1

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 insurance included. CR 220 Fifth Scorpion

Notice and Demand to Replenish and Pay

## ORIGIN (POSTAL SERVICE USE ONLY)

<input checked="" type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> DPO
PO ZIP Code 10007	Scheduled Delivery Date (MM/DD/YYYY) 5-11-18	Postage \$24.20	
Date Accepted (MM/DD/YYYY) 5-10-18	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input checked="" type="checkbox"/> 12 NOON	Insurance Fee \$0.00	COD Fee \$0.00
Time Accepted 4:59 PM	10:30 AM Delivery Fee \$0.00	Return Receipt Fee \$0.00	Live Animal Transportation Fee \$0.00
Weight 2 lbs.	Sunday/Holiday Premium Fee \$0.00	Acceptance Fee \$0.00	

## DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YYYY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt (MM/DD/YYYY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

LABEL 11-F, SEPTEMBER 2015

PSN 7600-02-000-9999

2-CUSTOMER COPY

## CUSTOMER USE ONLY

FROM: (PLEASE PRINT) PHONE ( ) 212 267 6364

MITCHELL H KOSSOFF ESQ  
 KOSSOFF PLLC  
 217 BROADWAY RM 401  
 NEW YORK, NY 10007-2944

## PAYMENT BY ACCOUNT (if applicable)

USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

092004

## DELIVERY OPTIONS (Customer Use Only)

☐ SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

## Delivery Options

- ☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
 \*Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT) PHONE ( )

Scorpion Fitness, Inc.  
 220 Fifth Avenue  
 New York, New York 10001

ZIP + 4® (U.S. ADDRESSES ONLY)

1 0 0 0 1

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 insurance included. CR 220 Fifth Scorpion

Notice and Demand to Replenish and Pay



EF 167483824 US



**PRIORITY  
 MAIL  
 EXPRESS™**

## ORIGIN (POSTAL SERVICE USE ONLY)

<input checked="" type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> DPO
PO ZIP Code 10007	Scheduled Delivery Date (MM/DD/YYYY) 5-11-18	Postage \$24.20	
Date Accepted (MM/DD/YYYY) 5-10-18	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input checked="" type="checkbox"/> 12 NOON	Insurance Fee \$0.00	COD Fee \$0.00
Time Accepted 4:58 PM	10:30 AM Delivery Fee \$0.00	Return Receipt Fee \$0.00	Live Animal Transportation Fee \$0.00
Weight 2 lbs.	Sunday/Holiday Premium Fee \$0.00	Acceptance Fee \$0.00	

## DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YYYY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt (MM/DD/YYYY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

LABEL 11-F, SEPTEMBER 2015

PSN 7600-02-000-9999

2-CUSTOMER COPY

**CUSTOMER USE ONLY**  
**FROM:** (PLEASE PRINT) PHONE ( ) 212 267 6364  
 MITCHELL H KOSSOFF ESQ  
 KOSSOFF PLLC  
 217 BROADWAY RM 401  
 NEW YORK, NY 10007-2944



**UNITED STATES  
 POSTAL SERVICE®**

**PRIORITY  
 MAIL  
 EXPRESS™**

**PAYMENT BY ACCOUNT (if applicable)**

USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

092004

**DELIVERY OPTIONS (Customer Use Only)**

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.  
**Delivery Options**  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
 \*Refer to USPS.com® or local Post Office® for availability.

**TO:** (PLEASE PRINT) PHONE ( )  
 Scorpion Club Ventures LLC  
 325 Fifth Avenue, Ste. 41E  
 New York, New York 10016  
 ZIP + 4® (U.S. ADDRESSES ONLY) 1 0 0 1 6

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 Insurance included. (C.R.) 220 Fifth, Scorpion  
 Notice and Demand to Replenish and Pay

**ORIGIN (POSTAL SERVICE USE ONLY)**

<input checked="" type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> DPO
PO ZIP Code: 10007	Scheduled Delivery Date (MM/DD/YYYY): 5.11.18	Postage: \$ 24.70	
Date Accepted (MM/DD/YYYY): 5.10.18	Scheduled Delivery Time: 10:30 AM - 3:00 PM	Insurance Fee: \$	COD Fee: \$
Time Accepted: 5:03 PM	10:30 AM Delivery Fee: \$	Return Receipt Fee: \$	Live Animal Fee: \$
Weight: 2 lbs.	Sunday/Holiday Premium Fee: \$	Total Postage & Fees: \$ 24.70	
Delivery Attempt (MM/DD/YYYY):	Time: AM PM	Employee Signature:	
Delivery Attempt (MM/DD/YYYY):	Time: AM PM	Employee Signature:	

LABEL 11-E, SEPTEMBER 2015 PSN 7690-02-000-9998

**CUSTOMER USE ONLY**

**FROM:** (PLEASE PRINT) PHONE ( ) 212 267 6364  
 MITCHELL H KOSSOFF ESQ  
 KOSSOFF PLLC  
 217 BROADWAY RM 401  
 NEW YORK, NY 10007-2944

**PAYMENT BY ACCOUNT (if applicable)**

USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

092004

**DELIVERY OPTIONS (Customer Use Only)**

☐ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.  
**Delivery Options**  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
 \*Refer to USPS.com® or local Post Office® for availability.

**TO:** (PLEASE PRINT) PHONE ( )  
 Scorpion Fitness, Inc.  
 325 Fifth Avenue, Ste. 41E  
 New York, New York 10016  
 ZIP + 4® (U.S. ADDRESSES ONLY) 1 0 0 1 6

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 Insurance included. (C.R.) 220 Fifth, Scorpion  
 Notice and Demand to Replenish and Pay

**ORIGIN (POSTAL SERVICE USE ONLY)**

<input checked="" type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> DPO
PO ZIP Code: 10007	Scheduled Delivery Date (MM/DD/YYYY): 5.11.18	Postage: \$ 24.70	
Date Accepted (MM/DD/YYYY): 5.10.18	Scheduled Delivery Time: 10:30 AM - 3:00 PM	Insurance Fee: \$	COD Fee: \$
Time Accepted: 5:01 PM	10:30 AM Delivery Fee: \$	Return Receipt Fee: \$	Live Animal Fee: \$
Weight: 2 lbs.	Sunday/Holiday Premium Fee: \$	Total Postage & Fees: \$ 24.70	
Delivery Attempt (MM/DD/YYYY):	Time: AM PM	Employee Signature:	
Delivery Attempt (MM/DD/YYYY):	Time: AM PM	Employee Signature:	

LABEL 11-E, SEPTEMBER 2015 PSN 7690-02-000-9998

## CUSTOMER USE ONLY

FROM: (PLEASE PRINT)

PHONE ( )

Default Pg 39 of 51

212 267 6364

MITCHELL H KOSSOFF ESQ  
KOSSOFF PLLC  
217 BROADWAY RM 401  
NEW YORK, NY 10007-2944



EF 167483550 US

UNITED STATES  
POSTAL SERVICE®

**PRIORITY  
MAIL  
EXPRESS**

## PAYMENT BY ACCOUNT (If applicable)

USPS® Corporate Acct. No.

Federal Agency Acct. No. or Postal Service™ Acct. No.

092004

## DELIVERY OPTIONS (Customer Use Only)

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## Delivery Options

- ☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT)

PHONE ( )

Scorpion Club Ventures LLC  
88 Lexington Ave. Ste. 9D  
New York, New York 10016

ZIP + 4® (U.S. ADDRESSES ONLY)

1 0 0 1 6 -

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 Insurance Included. (C.R.) 220 Fifth, Scorpion

Notice and Demand to Replenish and Pay

## ORIGIN (POSTAL SERVICE USE ONLY)

☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO-19

PO ZIP Code

Scheduled Delivery Date (MM/DD/YYYY)

Postage

Date Accepted (MM/DD/YYYY)

Scheduled Delivery Time

Insurance Fee

COD Fee

Time Accepted

10:30 AM Delivery Fee

Return Receipt Fee

Live Animal Fee

Weight

Flat Rate

Sunday/Holiday Premium Fee

Total Postage &amp; Fees

Acceptance Employee Initials

Delivery Attempt (MM/DD/YYYY)

Time

Employee Signature

Delivery Attempt (MM/DD/YYYY)

Time

Employee Signature

Label 11-F, SEPTEMBER 2015 PSN 7590-02-000-9998

2-CUSTOMER COPY

## CUSTOMER USE ONLY

FROM: (PLEASE PRINT)

PHONE ( )

212 267 6364

MITCHELL H KOSSOFF ESQ  
KOSSOFF PLLC  
217 BROADWAY RM 401  
NEW YORK, NY 10007-2944

## PAYMENT BY ACCOUNT (If applicable)

USPS® Corporate Acct. No.

Federal Agency Acct. No. or Postal Service™ Acct. No.

092004

## DELIVERY OPTIONS (Customer Use Only)

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## Delivery Options

- ☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT)

PHONE ( )

Scorpion Fitness, Inc.  
88 Lexington Ave. Ste. 9D  
New York, New York 10016

ZIP + 4® (U.S. ADDRESSES ONLY)

1 0 0 1 6 -

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 Insurance Included. (C.R.) 220 Fifth, Scorpion

Notice and Demand to Replenish and Pay



EF 167483577 US

UNITED STATES  
POSTAL SERVICE®

**PRIORITY  
MAIL  
EXPRESS**

## PAYMENT BY ACCOUNT (If applicable)

USPS® Corporate Acct. No.

Federal Agency Acct. No. or Postal Service™ Acct. No.

092004

## DELIVERY OPTIONS (Customer Use Only)

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## Delivery Options

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☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT)

PHONE ( )

Scorpion Fitness, Inc.  
88 Lexington Ave. Ste. 9D  
New York, New York 10016

ZIP + 4® (U.S. ADDRESSES ONLY)

1 0 0 1 6 -

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 Insurance Included. (C.R.) 220 Fifth, Scorpion

Notice and Demand to Replenish and Pay

## ORIGIN (POSTAL SERVICE USE ONLY)

☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO-19

PO ZIP Code

Scheduled Delivery Date (MM/DD/YYYY)

Postage

Date Accepted (MM/DD/YYYY)

Scheduled Delivery Time

Insurance Fee

COD Fee

Time Accepted

10:30 AM Delivery Fee

Return Receipt Fee

Live Animal Fee

Weight

Flat Rate

Sunday/Holiday Premium Fee

Total Postage &amp; Fees

Acceptance Employee Initials

Delivery Attempt (MM/DD/YYYY)

Time

Employee Signature

Delivery Attempt (MM/DD/YYYY)

Time

Employee Signature

Label 11-F, SEPTEMBER 2015 PSN 7590-02-000-9998

2-CUSTOMER COPY

**CUSTOMER USE ONLY**  
FROM: (PLEASE PRINT) MITCHELL H KOSOFF ESQ  
KOSOFF PLLC  
217 BROADWAY RM 401  
NEW YORK, NY 10007-2944  
PHONE: ( ) 212 247 6364

**PAYMENT BY ACCOUNT (If applicable)**  
USPS® Corporate Acct. No. 092004  
Federal Agency Acct. No. or Postal Service™ Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**  
☐ SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer:  
1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.  
Delivery Options:  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT) MASSIMO F. D'ANGELO  
ADAM LEITMAN BAILEY P.C.  
One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004  
ZIP + 4® (U.S. ADDRESSES ONLY) 10004-0004

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 insurance included. (C.R.) 220 Fifth St. 3rd Fl.  
Notice and Demand to Replenish and Pay

EF 167483563 US

**UNITED STATES POSTAL SERVICE®**

**PRIORITY MAIL EXPRESS™**

**ORIGIN (POSTAL SERVICE USE ONLY)**  
☒ 1-Day ☐ 2-Day ☐ Military ☐ DPO

ZIP Code 10004  
Scheduled Delivery Date (MM/DD/YY) 5.11.18  
Postage \$ 24.75  
Data Accepted (MM/DD/YY) 5.10.18  
Scheduled Delivery Time ☐ 10:30 AM ☐ 3:00 PM ☒ 12 NOON  
Time Accepted 4:56 PM  
10:30 AM Delivery Fee \$  
Return Receipt Fee \$  
Live Address Update Fee \$  
Transportation Fee \$  
Weight 2.00 lb  
Flat Rate ☐ Sunday/Holiday Premium Fee \$  
Total Postage & Fees \$ 24.75  
Accepted Employee Initials [Signature]  
Delivery Attempt (MM/DD/YY) [Blank] Time [Blank] Employee Signature [Blank]  
Delivery Attempt (MM/DD/YY) [Blank] Time [Blank] Employee Signature [Blank]

LABEL 11-K, SEPTEMBER 2015 PSN 7500-02-000-9908 2-CUSTOMER COPY

Notice and Demand to Replenish and Pay

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     }  
  }  
COUNTY OF NEW YORK   }

I, Tara George being duly sworn, deposes and says:

I am not a party to this action, am over 18 years of age and reside in the Queens, New York.

On May 29, 2018, I served the within **NOTICE OF DEFAULT** upon:

Scorpion Fitness, Inc.  
220 Fifth Avenue,  
New York, New York 10001

Scorpion Fitness, Inc.  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

Scorpion Club Ventures LLC  
220 Fifth Avenue,  
New York, New York 10001

Scorpion Club Ventures LLC  
88 Lexington Ave., Ste. 9D  
New York, New York 10016

Scorpion Fitness, Inc.  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016


Massimo F. D'Angelo  
ADAM LEITMAN BAILEY, P.C.  
One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004

Scorpion Club Ventures LLC  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016

by mailing the same first class with certificates of mailing in sealed envelopes, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the addressees as indicated above and by overnight mail service (with Express Mail codes EF167483679US, EF167483665US, EF167483648US, EF167483722US, EF167483719US, EF167483651US, EF167483705US) by placing the same in a postpaid, properly addressed and sealed envelopes and delivering said envelopes to a postal employee at a United States Post Office in the Borough of Manhattan, City and State of New York for processing under the exclusive care and custody of the United States Postal Service, Church Street Station Branch, within the City, County and State of New York.

  
Tara George

Sworn to before me this  
30<sup>th</sup> day of May, 2018

  
Notary Public

JOSEPH SHALOM GOLDSMITH  
Notary Public, State of New York  
No. 02GO6108848  
Qualified in Queens County  
Commission Expires April 19, 2020 

**UNITED STATES POSTAL SERVICE**  
Certificate of Mailing  
This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.  
From:

To pay fee, affix stamps or stamps.

**\$1.400**  
US POSTAGE FIRST-CLASS  
062S0007861483  
10007

Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Club Ventures LLC  
220 Fifth Avenue  
New York, New York 10001

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES POSTAL SERVICE**  
Certificate of Mailing  
This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.  
From:

To pay fee, affix stamps or stamps.

**\$1.400**  
US POSTAGE FIRST-CLASS  
062S0007861483  
10007

Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Club Ventures LLC  
325 Fifth Avenue, Ste. 410  
New York, New York 10016

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES POSTAL SERVICE**  
Certificate of Mailing  
This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.  
From:

To pay fee, affix stamps or stamps.

**\$1.400**  
US POSTAGE FIRST-CLASS  
062S0007861483  
10007

Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Fitness, Inc.  
220 Fifth Avenue  
New York, New York 10001

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES POSTAL SERVICE**  
Certificate of Mailing  
This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.  
From:

To pay fee, affix stamps or stamps.

**\$1.400**  
US POSTAGE FIRST-CLASS  
062S0007861483  
10007

Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Fitness, Inc.  
325 Fitness Avenue Ste. 410  
New York, New York 10016

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES**  
**POSTAL SERVICE**  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From:

Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Club Ventures, LLC  
88 Lexington Ave, Ste. 9D  
New York, New York 10016

US POSTAGE  
FIRST-CLASS  
\$1.40 0  
8107 06250007861483  
10007

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES**  
**POSTAL SERVICE**  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From:

Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Scorpion Fitness, Inc.  
88 Lexington Ave, Ste. 9D  
New York, New York 10016

US POSTAGE  
FIRST-CLASS  
\$1.40 0  
8107 06250007861483  
10007

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065

**UNITED STATES**  
**POSTAL SERVICE**  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From:

Kossoff, PLLC  
217 Broadway – Suite 401  
New York, NY 10007

To: Massimo F. D'Angelo  
Adam Lerman Bailey P.C.  
One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004

US POSTAGE  
FIRST-CLASS  
\$1.40 0  
8107 06250007861483  
10007

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065



CUSTOMER USE ONLY

FROM: (PLEASE PRINT)

MITCHELL H KOSSOFF ESQ  
KOSSOFF PLLC  
217 BROADWAY RM 401  
NEW YORK, NY 10007-2944

220 Fifth Avenue (AKN)  
PAYMENT BY ACCOUNT (if applicable)  
Federal Agency Acct. No. or Postal Service® Acct. No.

092004

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer:  
1) requires the addressee's signature; OR 2) purchases additional insurance; OR 3) purchases COD service; OR 4)  
attempts Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's  
residence or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office® for availability.

3) (PLEASE PRINT)

Scorpion Club Ventures LLC  
220 Fifth Avenue  
New York, New York 10001

PHONE ( ) - 212 267-6364

+ 4\* (U.S. ADDRESSES ONLY)

1 0 0 0 1 -

for pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

100.00 Insurance Included.

Default notice

2-CUSTOMER COPY

LABEL 11- SEPTEMBER 2015 PSN 789502-000-3958



EF 167483665 US

UNITED STATES  
POSTAL SERVICE®  
PRIORITY MAIL  
EXPRESS™

ORIGIN (POSTAL SERVICE USE ONLY)  
☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO

PO ZIP Code  
Scheduled Delivery Date (MM/DD/YYYY)  
Postage

Date Accepted (MM/DD/YYYY)  
Scheduled Delivery Time  
Insurance Fee  
COD Fee

Time Accepted  
10:30 AM Delivery Fee  
Live Animal  
Transportation Fee

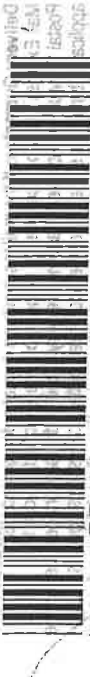
Weight  
Flat Rate  
Sunday/Holiday Premium Fee  
Total Postage & Fees

DELIVERY (POSTAL SERVICE USE ONLY)  
Delivery Attempt (MM/DD/YYYY) Time  
Employee Signature

Delivery Attempt (MM/DD/YYYY) Time  
Employee Signature

**CUSTOMER USE ONLY**  
FROM: (PLEASE PRINT)  
MITCHELL H KOSOFF ESO  
KOSOFF PLLC  
217 BROADWAY RM 401  
NEW YORK, NY 10007-2944  
PHONE: 212 267 6364  
220 Fifth Avenue (KSN)  
PAYMENT BY ACCOUNT (if applicable)  
USPS Corporate Acct. No. 092904  
Federal Agency Acct. No. or Postal Service™ Acct. No.

EF 167483648 US  
UNITED STATES  
POSTAL SERVICE®  
PRIORITY  
MAIL  
EXPRESS™



**DELIVERY OPTIONS (Customer Use Only)**  
☐ SIGNATURE REQUIRED (The addressee must check the "Signature Required" box if the mailer: 1) Purchases Return Receipt service; 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Registered Mail service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.)  
**Delivery Options**  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com or local Post Office for availability.

**ORIGIN (POSTAL SERVICE USE ONLY)**  
☐ 1-Day ☐ 2-Day ☐ Military ☐ DPO  
PO ZIP Code  
Scheduled Delivery Date (MM/DD/YYYY)  
Postage  
Insurance Fee  
COD Fee  
Live Animal Transportation Fee  
Return Receipt Fee  
Total Postage & Fees

TO: (PLEASE PRINT)  
Scorpion Fitness, Inc.  
325 Fifth Avenue, Ste. 41E  
New York, New York 10016  
ZIP + 4 (U.S. ADDRESSES ONLY)  
10016

Date Accepted (MM/DD/YYYY)  
Time Accepted  
Weight  
Flat Rate  
Sunday/Holiday Premium Fee  
Acceptance Employee Initials  
Employee Signature  
Delivery Attempt (MM/DD/YYYY) Time  
Delivery Attempt (MM/DD/YYYY) Time

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 Insurance included.  
Default notice

**DELIVERY (POSTAL SERVICE USE ONLY)**  
Employee Signature  
Employee Signature  
PSN 7590-02-000-9999

LABEL 11-F, SEPTEMBER 2015 2-CUSTOMER COPY



FROM: (PLEASE PRINT)

PHONE ( ) 212 267 6364

MITCHELL H KOSSOFF ESQ

KOSSOFF PLLC

217 BROADWAY RM 401

NEW YORK, NY 10007-2944

220 Fifth Avenue (AKM)

PAYMENT BY ACCOUNT (if applicable)

USPS Corporate Acct. No. 092004

Federal Agency Acct. No. or Postal Service™ Acct. No.

1-DAY

2-DAY

MILITARY

DPO

POSTAGE

INSURANCE FEE

COD FEE

RETURN RECEIPT FEE

TRANSPORTATION FEE

TOTAL POSTAGE & FEES

DATE ACCEPTED (MM/DD/YY)

TIME ACCEPTED

WEIGHT

FLAT RATE

SUNDAY/HOLIDAY PREMIUM FEE

ACCEPTANCE EMPLOYEE INITIALS

DELIVERY (POSTAL SERVICE USE ONLY)

DELIVERY ATTEMPT (MM/DD/YY)

TIME

EMPLOYEE SIGNATURE

DELIVERY ATTEMPT (MM/DD/YY)

TIME

EMPLOYEE SIGNATURE

ZIP + 4® (U.S. ADDRESSES ONLY)

1 D O 1 6 -

FOR pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.

\$100.00 Insurance Included.

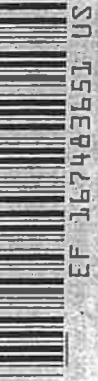
Default notice

UNITED STATES POSTAL SERVICE

PRIORITY MAIL EXPRESS

CUSTOMER USE ONLY

FROM: (PLEASE PRINT)  
MITCHELL H KOSOFF EBO  
KOSOFF PLLC  
217 BROADWAY RM 401  
NEW YORK, NY 10007-2944



220 Fifth Avenue  
AYMENT BY ACCOUNT (if applicable)  
SPS Corporate Acct. No. 092004  
Federal Agency Acct. No. or Postal Service™ Acct. No.

**DELIVERY OPTIONS (Customer Use Only)**  
SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) requires the addressee's signature; OR 2) purchases additional insurance; OR 3) purchases COD service; OR 4) requires Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mailbox or other secure location without attempting to obtain the addressee's signature on delivery.  
Delivery Options  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available\*)  
☐ 10:30 AM Delivery Required (additional fee, where available\*)  
\*Refer to USPS.com or local Post Office™ for availability.

Q: (PLEASE PRINT)  
Scorpion Club Ventures LLC  
88 Lexington Ave., Ste. 90  
New York, New York 10016

IP \* 4\* (U.S. ADDRESSES ONLY)  
1 0 0 1 6  
For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 insurance included.  
Default notice

ORIGIN (POSTAL SERVICE USE ONLY)	
<input type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day
PO ZIP Code	Scheduled Delivery Date (MM/DD/YYYY)
Date Accepted (MM/DD/YYYY)	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input type="checkbox"/> 12 NOON
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	10:30 AM Delivery Fee \$
Weight lbs. ozs.	Sunday/Holiday Premium Fee \$
Flat Rate <input type="checkbox"/>	Acceptance Employee Initials
Employee Signature	
Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Employee Signature	
Time <input type="checkbox"/> AM <input type="checkbox"/> PM	

DELIVERY (POSTAL SERVICE USE ONLY)	
Delivery Attempt (MM/DD/YYYY)	Time
Delivery Attempt (MM/DD/YYYY)	Time

LABEL 11-7 SEPTEMBER 2015 PSN 769002-000-9998

2-CUSTOMER COPY

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) PHONE: 212-267-6364  
MITCHELL H KOSSOFF ESQ  
KOSSOFF PLLC  
217 BROADWAY RM 401  
NEW YORK, NY 10007-2944

2205 1st St. Sec 10101 (K101)  
PAYMENT BY ACCOUNT (if applicable)  
USPS Corporate Acct. No.  
092004  
Federal Agency Acct. No. or Postal Service™ Acct. No.

DELIVERY OPTIONS (Customer Use Only)  
☐ SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's neighborhood or other place location without attempting to obtain the addressee's signature on delivery.  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available)  
☐ 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com or local Post Office™ for availability.

TO: (PLEASE PRINT)  
Massimo F. D'Angelo  
Adam Leitman Bailey, P.C.  
One Battery Park Plaza, Eighteenth Floor  
New York, New York 10004  
ZIP + 4 (U.S. ADDRESSES ONLY)  
10004

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 insurance included.  
Default notice



UNITED STATES  
POSTAL SERVICE  
PRIORITY MAIL  
EXPRESS

ORIGIN (POSTAL SERVICE USE ONLY)	
<input type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day
PO ZIP Code	Scheduled Delivery Date (MM/DD/YY)
Date Accepted (MM/DD/YY)	Scheduled Delivery Time
Time Accepted	10:30 AM Delivery Fee
Weight	Sunday/Holiday Premium Fee
	Acceptance Employee Initials
DELIVERY (POSTAL SERVICE USE ONLY)	
Delivery Attempt (MM/DD/YY)	Time
Delivery Attempt (MM/DD/YY)	Time

2-CUSTOMER COPY